

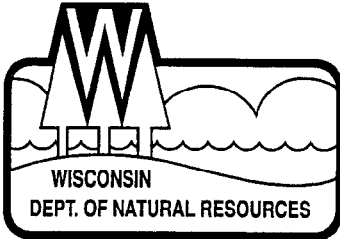


# Checklist of Documents for GIS Registry Packet

WI DNR, Bureau for Remediation and Redevelopment, PUB-RR-688

(Include with closure request – please assemble in this order, *rather than that identified on the close out form.*)

- ✓ ☒ One-time fee of \$250.00 per site, for maintenance of the registry.
- ✓ ☒ Copies of the most recent deed including legal descriptions, for all properties within or partially within the contaminated site boundaries. (Note: If a property has been purchased with a land contract and the purchaser has not yet received a deed, a copy of the land contract should be submitted instead of the most recent deed. If the property has been inherited, written documentation of the property transfer should be submitted along with the most recent deed.)
- ✓ ☒ A copy of the certified surveyed map or the relevant section of the recorded plat map for those properties where the legal description in the most recent deed refers to a certified survey map or a recorded plat map. (lots on subdivided or platted property (e.g. lot2 of xyz subdivision))
- ✓ ☒ Parcel identification number for each property, if the county in which the property is located uses parcel identification numbers. ON DEED
- ✓ ☒ A location map which outlines all properties within the contaminated site boundaries in sufficient detail to permit the easy location of all parcels. (If only one parcel, combine with next item.)
- ✓ ☒ A map of all contaminated properties within site boundaries, showing buildings, roads, property boundaries, contaminant sources, utility lines, monitoring wells and potable wells.
- ✓ ☒ A table of the most recent analytical results from all monitoring wells, and any potable wells for which samples have been collected, with sample collection dates. (without shading/crosshatching)
- ☐ An isoconcentration map, if available from the site investigation (SI), of the contaminated properties within the site boundaries. The map should include the areal extent of groundwater contamination exceeding PALs, groundwater flow directions based on the most recent data, and sample dates.  
If an isoconcentration map is not available from the SI, substitute the following two maps from the SI, based on the most recent data.
  - ☒ A groundwater flow direction map, based on the most recent data.
  - ☒ A map showing the horizontal extent of contamination, based on most recent data.
- ✓ ☒ A geologic cross section, if available from the SI, showing vertical extent and location of soil and groundwater contamination, source extent and location; isoconcentrations for all groundwater contaminants that exceed PALs; water table and piezometric elevations, and the location and elevation of geologic units, bedrock, and confining units, if any.
- ✓ ☒ A statement signed by the responsible party, which states that he or she believes that the legal descriptions attached to the statement are complete and accurate. (The point here is that the legal descriptions are describing the correct (i.e. contaminated) properties)
- ✓ ☒ A copy of the letters sent by the RP to all owners of properties with groundwater exceeding ESs (including the current source-property owner, if the RP is not the current source-property owner.) (Off source properties are listed separately with a link to the source property.)
- ☐ A copy of notification provided to City/village/municipality/state agency responsible for maintenance of a road right-of-way, within or partially within the boundaries of the contaminated site.
- ✓ ☒ Geographic position of all properties within or partially within the contaminated site boundaries. The coordinates need to be for a spot located at least 40 feet inside the property boundary. Refer to NR 716.15(2)(d)7, and (k). The coordinates must be in WTM91 projection (see the following WDNR website address for assistance: [www.dnr.state.wi.us/org/at/et/geo/gwur/index.htm](http://www.dnr.state.wi.us/org/at/et/geo/gwur/index.htm) ).



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Gloria L. McCutchen, Regional Director

Waukesha Service Center  
407 Pilot Court, Suite 100  
Waukesha, Wisconsin 53188  
Telephone 262-574-2100  
FAX 262-574-2117

August 21, 2002

Mr. Duane Warren  
Dairyland Fuels Inc.  
1230 S. West Avenue  
Waukesha, WI 53186

SUBJECT: Case Closure, Dairyland Fuels Site, 1230 S. West Avenue, Waukesha, WI 53186  
FID# 268113340 BRRTS# 03-68-003007

Dear Mr. Warren:

On May 16, 2002, you were notified that the Wisconsin Department of Natural Resources had granted conditional closure to your case. The Department reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in closing cases.

The Department has since received correspondence indicating that you have complied with the conditions of closure. A notarized copy of the recorded deed restriction has been received and all well abandonment forms have been submitted. Based on the correspondence and data provided, it appears that your site has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. Therefore, the Department considers this case closed and no further investigation, remediation or other action is required at this time.

Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment.

The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the letterhead address or (262) 574-2145.

Sincerely,

James C. Delwiche, P.G.  
Hydrogeologist  
Bureau for Remediation & Redevelopment

cc: SER Case File  
Matthew Giovanelli – Envirogen, Inc.



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Gloria L. McCutchen, Regional Director

Waukesha Service Center  
407 Pilot Court, Suite 100  
Waukesha, Wisconsin 53188  
Telephone 262-574-2166  
FAX 262-574-2117

May 16, 2002

Mr. Duane Warren  
Dairyland Fuels Inc.  
1230 S. West Avenue  
Waukesha, WI 53186

Subject: Dairyland Fuels Site, 1230 S. West Avenue, Waukesha, WI 53186  
FID# 268113340 BRRTS# 03-68-003007

Dear Mr. Warren:

In May 2002, the Southeast Region of the Wisconsin Department of Natural Resources reviewed the closure request for your site. The Department reviews environmental remediation cases for compliance with state statutes and rules to maintain consistency in the closure of these cases. After a review of your request, the Department has determined that conditional closure for the subject site is warranted. This letter has also been forwarded to your environmental consultant.

Final case closure can be issued for your site after the following issues are addressed:

- There is some confusion over location of the property boundary between the Dairyland Fuels property and the Wisconsin Central Railroad Right of Way (ROW). Specifically, the Department will need clarification as to which property monitoring wells MW-3, MW-5, MW-10 and soil borings GP-10 and GB-12 are on. This information is needed to determine what property notification of contamination is necessary. Please provide a current site map (showing the above wells and borings) with the correct property boundary along with any updated deed information.
- Soil contamination remains on the Dairyland property with levels above the Department's guidance for industrial levels. If this soil is not remediated, final site closure can be issued after placing an engineering control (i.e. asphalt cap) over the impacted areas. Please submit a work and maintenance plan for the engineering control if the soils are to be left in place.
- A soil contamination deed restriction will need to be recorded for the property if the contaminated soils are not removed. The restriction should describe the level and location of the residual soil contamination.
- A copy of the laboratory results for any samples (soil and groundwater) collected on the Wisconsin Central Railroad ROW should be sent to the railroad. Please confirm (see the first issue) if any ROW samples exceed the Department standards for soil or groundwater.

- The Dairyland Fuels property will be placed on the State GIS groundwater registry due to the levels of groundwater contamination detected. If additional sampling in the future indicates that groundwater levels are below standards, the property can be removed from the registry at that time. The GIS information for this site has already been sent to the Department by your consultant.

When the additional work outlined above has been completed, a submittal should be sent to the Department. Please direct correspondence with the site FID# and BRRTS# noted to: Victoria Stovall, Wisconsin Department of Natural Resources, 2300 N. Dr. ML King Dr., P.O. Box 12436, Milwaukee, WI 53212-0436. A final closure letter will be issued at that time.

If there is additional relevant information that was not previously provided to the Department, which you believe might change the Department's closure decision; you may submit that information for our re-evaluation of your closure request.

The Department appreciates the actions you are taking to restore the environment at this site. If you have any questions about this letter or the site in general, please contact me at the letterhead address or at (262) 574-2174.

Sincerely,



James C. Delwiche, P.G.  
Hydrogeologist  
Remediation & Redevelopment Program

cc: SER Case File  
Matt Giovanelli – Envirogen.

DOCUMENT NO.

1382024

**WARRANTY DEED**  
STATE BAR OF WISCONSIN FORM 2-1989

THIS SPACE RESERVED FOR RECORDING DATA

REGISTERED  
COUNTY CLERK

1986 NOV 3 PM 3:15  
REC 0822-10092

FEE

1382024

RETURN TO

PRAIRIE OIL CO., a Wisconsin corporation,

conveys and warrants to **DUANE E. WARREN**

TRANSFER

\$ 242.50

FEE

the following described real estate in Waukesha County,  
State of Wisconsin:

Tax Parcel No: 1335.997

All that part of the Southwest 1/4 of Section 10, Town 6 North, Range 19 East, City of Waukesha, County of Waukesha, State of Wisconsin, bounded and described as follows:

Commencing at the South 1/4 corner of Section 10; thence due North along the South 1/4 line of said Section and the centerline of West Avenue, 938.50 feet; thence due West perpendicular to said South 1/4 line, 33.00 feet to a point on the West Right-of-Way line of West Avenue and the place of beginning of the parcel hereinafter described; thence due North along said West Right-of-Way line being parallel to said South 1/4 line, 515.60 feet; thence due West perpendicular to the aforementioned South 1/4 line, 9.00 feet to a point on the East Right-of-Way line of the Soo Line Railroad (Minn. St. Paul & S. Ste. Marie Ry. Co.); thence South 13°54'30" West along said East right-of-way line, 198.17 feet; thence North 76°05'30" West along the aforementioned East Right-of-Way line, 5.00 feet; thence South 13°54'30" West along the East Right-of-Way line of the Soo Line Railroad, 334.24 feet; thence due East 141.82 feet to the place of beginning.

This is not homestead property.  
(is) (is not)

Exception to warranties:  
taxes for 1986; easements and restrictions of record;  
zoning ordinances and building restrictions of record

Dated this 3<sup>RD</sup> day of November, 19 86

(SEAL)

PRAIRIE OIL CO.

(SEAL)

By: J. A. Stechsulte  
J. A. Stechsulte, President

(SEAL)

(SEAL)

Nancy G. Stechsulte  
Nancy G. Stechsulte, Secretary

**AUTHENTICATION**

Signature(s) J. A. Stechsulte, President  
and Nancy G. Stechsulte, Secretary

authenticated this 3<sup>RD</sup> day of November, 19 86.

\* Richard N. Hunter  
TITLE: MEMBER STATE BAR OF WISCONSIN

(If not  
authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
Attorney Richard N. Hunter

(Signatures may be authenticated or acknowledged. Both are not necessary.)

**ACKNOWLEDGMENT**

STATE OF WISCONSIN

ss.  
County.

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ the above named

to me known to be the person \_\_\_\_\_ who executed the foregoing instrument and acknowledge the same.

Notary Public \_\_\_\_\_ County, Wis.  
My Commission is permanent. (If not, state expiration date: \_\_\_\_\_, 19 \_\_\_\_\_)

1619423

REGISTRARS OFFICE  
WAUKESHA COUNTY, WIS. 535

1990 OCT 26 AM 8:52

REEL 1249W 0466

QUITCLAIM DEED

1619423

THIS INDENTURE, Witnesseth that the Grantor, WISCONSIN CENTRAL LTD., a Corporation duly organized and existing under and by virtue of the laws of the State of Illinois, located at 6250 North River Road, Rosemont, Illinois 60018, for and in the consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, does hereby GRANT, CONVEY and QUIT CLAIM to the Grantee,

DUANE E. WARREN, 1230 S. West Avenue, Waukesha, Wisconsin 53187

all right, title, and interest in and to the following described lands and property situated in the County of Waukesha and State of Wisconsin to wit:

\$86.10

FEC

SEE ATTACHED RIDER FOR LEGAL DESCRIPTION AND ALL CONDITIONS TO WHICH THIS CONVEYANCE IS SUBJECT

Pd  
12-

IN WITNESS WHEREOF, WISCONSIN CENTRAL LTD., the Grantor, has caused these presents to be signed by Thomas F. Power, Jr., its Executive Vice President, and its corporate seal, duly attested by Susan H. Norton, its Assistant Secretary to be hereunto affixed, they being thereunto duly authorized this 18th day of September, 1990.

WISCONSIN CENTRAL LTD.

By:

Thomas F. Power, Jr.  
Thomas F. Power, Jr.  
Executive Vice President

Attest:

By:

Susan H. Norton

Susan H. Norton  
Assistant Secretary

RETURN TO:

John M. Remmers  
P.O. Box 558  
Waukesha, WI 53187

REEL 1249 PAGE 0468

Rider to Deed

A parcel of land located in the Southwest Quarter (SW 1/4) of Section 10, Township 6 North, Range 19 East of the Fourth Principal Meridian, in Waukesha, Waukesha County, Wisconsin, described as follows:

Beginning at the point of intersection of the West line of 66 foot wide West Avenue and a line parallel with and 30 feet normally distant easterly from the centerline of the main track of Wisconsin Central Ltd.;

Thence southerly along last said West line a distance of 275 feet, more or less, to a point on a line parallel with and 1454.10 feet normally distant northerly from the South line of said Section 10;

Thence westerly along last said parallel line a distance of 9 feet, more or less, to a point on a line parallel with and 90 feet normally distant easterly from the aforesaid main track;

Thence southwesterly along last said parallel line a distance of 528 feet, more or less, to a point on a line parallel with and 938.50 feet normally distant northerly from the aforesaid South line of Section 10;

Thence westerly along last said parallel line a distance of 65 feet, more or less, to a point on a line parallel with and 30 feet normally distant easterly from the centerline of the aforesaid main track;

Thence northeasterly along last said parallel line a distance of 812 feet, more or less, to the point of beginning.

STATE OF ILLINOIS )  
 )  
 COUNTY OF COOK )

I, Arthur L. Spiros a Notary Public, in and for the County of Cook, State of Illinois, Do Hereby Certify that Thomas F. Power Jr., personally known to me to be the Executive Vice President of WISCONSIN CENTRAL LTD., an Illinois Corporation and Susan H. Norton, personally known to me to be the Assistant Secretary of said corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged under oath that as such Executive Vice President and Assistant Secretary, they signed and delivered the said instrument as Executive Vice President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal this 18th day of September, 1990.

By. Arthur L. Spiros

Notary Public

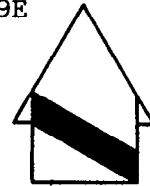


This instrument prepared by:  
 Real Estate Department-Robert Fowler  
 Wisconsin Central Ltd.  
 P. O. Box 5062  
 Rosemont, Illinois 60017-5062

**CERTIFIED SURVEY MAP NO.**

Part of the NE 1/4 and SE 1/4 of the SW 1/4 of Section 10, T6N, R19E  
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

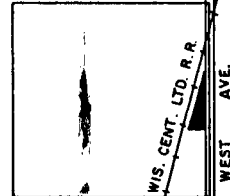
There shall be a 10' wide temporary slope easement across the street of all lots. Said easement not to be permanently improved and to be removed until concrete sidewalk is installed.



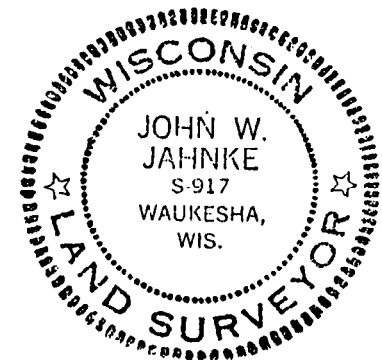
SCALE 1"=200'  
GRAPHIC SCALE



**LOCATION MAP**

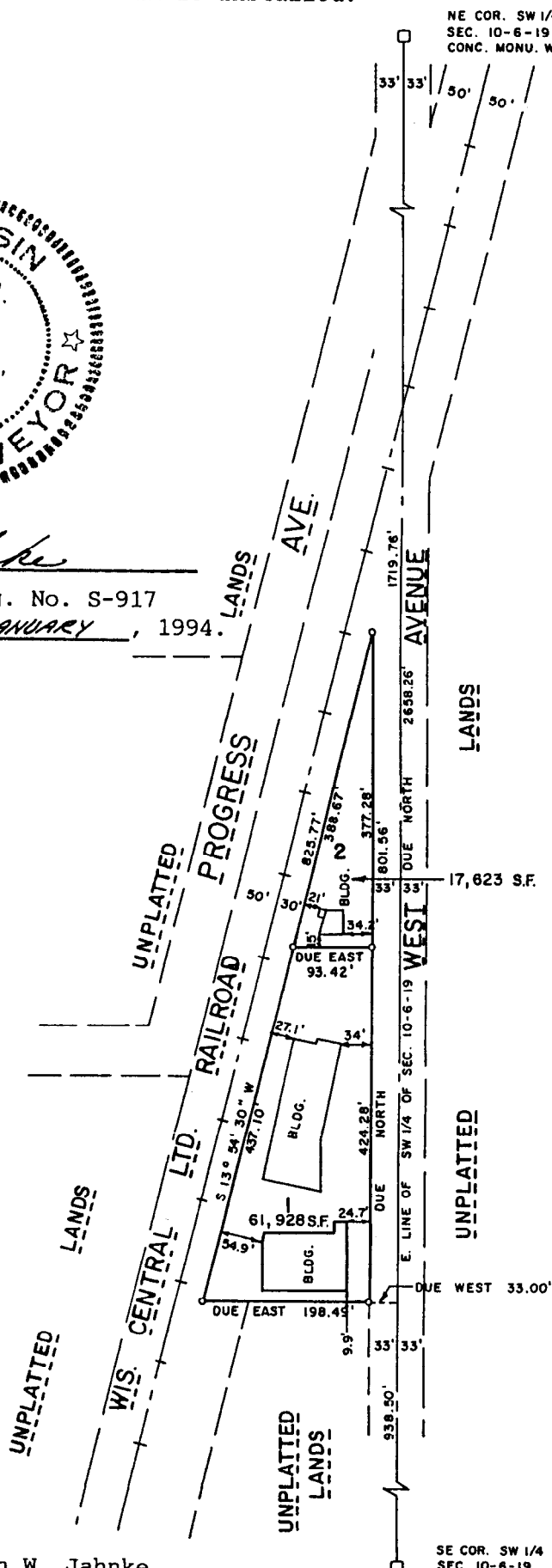


SW 1/4 10-6-19  
SCALE 1" = 2640'



W. W. Johnke

AHNKE - Wis. Reg. No. S-917  
s 4th day of JANUARY, 1994.



ANE E. WARREN

drafted by John W. Jahnke

SE COR. SW 1/4  
SEC. 10-6-19

P.S. Waukesha 4296



Stock No. 26273

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

Page 2 of 3

Part of the NE 1/4 and SE 1/4 of the SW 1/4 of Section 10, T6N, R19E  
CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN

**CERTIFICATE:**

John W. Jahnke, registered land surveyor, being duly sworn on oath, hereby depose  
that I have surveyed, divided and mapped the following land bounded and described

that part of the Northeast Quarter (NE 1/4) and Southeast Quarter (SE 1/4) of  
Southwest Quarter (SW 1/4) of Section 10, Town 6 North, Range 19 East, City of  
Waukesha County, Wisconsin, bounded and described as follows: Commencing at  
the east corner of said Southwest Quarter (SW 1/4); thence Due North along the east  
line of said Southwest Quarter (SW 1/4) 938.50 feet; thence Due West 33.00 feet to a  
point on the westerly right of way line of West Avenue and the place of beginning of the  
line hereinafter described; thence Due North along said westerly right of way line  
to a point on the easterly right of way line of the Wisconsin Central R.R.  
thence South 13°54'30" West along said easterly right of way line 825.77 feet;  
thence East 198.49 feet to the place of beginning. Containing an area of 79,551  
square feet (1.826 acres).

I further certify that I have made such survey, land division and map by the  
authority of the owners of said land; that such map is a correct representation of the  
boundaries of the land surveyed and map thereof made; and that I have fully  
complied with the provisions of Chapter 236 of the Wisconsin State Statutes pertaining to  
Survey Maps (Section 236.34) and the regulations of the City of Waukesha in  
dividing and mapping the same.



John W. Jahnke  
JOHN W. JAHNKE - Wis. Reg. No. S-917

WISCONSIN) ss  
WAUKESHA)

This certificate subscribed and sworn to me this 4<sup>th</sup> day of January, 1993.

My commission expires September 7, 1997.

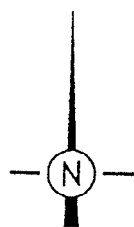
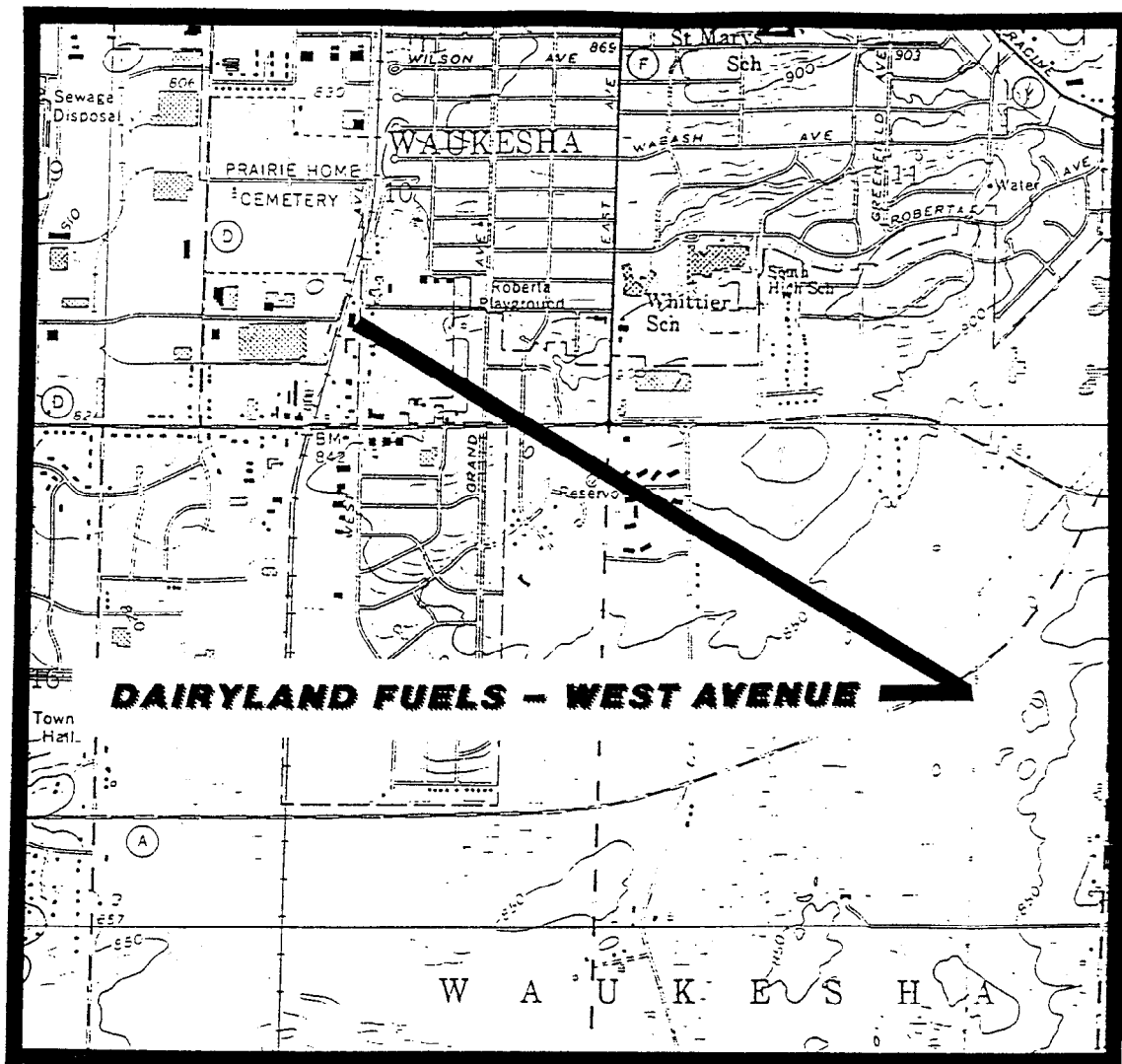
Geraldine E. Chaltry  
GERALDINE E. CHALTRY - NOTARY PUBLIC

JOHN E. WARREN

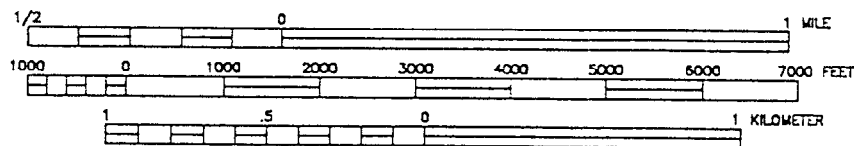
Drafted by John W. Jahnke

P.S. Waukesha 4296

DRAWING NO. 92.727R21  
 DRAWN BY: DLA  
 9/3/93  
 CHECKED BY: VLL  
 9/8/93  
 APPROVED BY: SUT  
 10/1/93



SCALE  
1:24000



CONTOUR INTERVAL 10 FEET



LOCATION

THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

FIGURE 2.1

SITE LOCATION MAP

DAIRYLAND FUELS - WEST AVENUE

WAUKESHA, WISCONSIN



**Dairyland Fuels West Avenue Site**

**1230 S. West Avenue, Waukesha, Wisconsin**

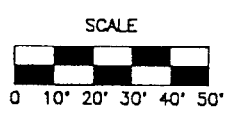
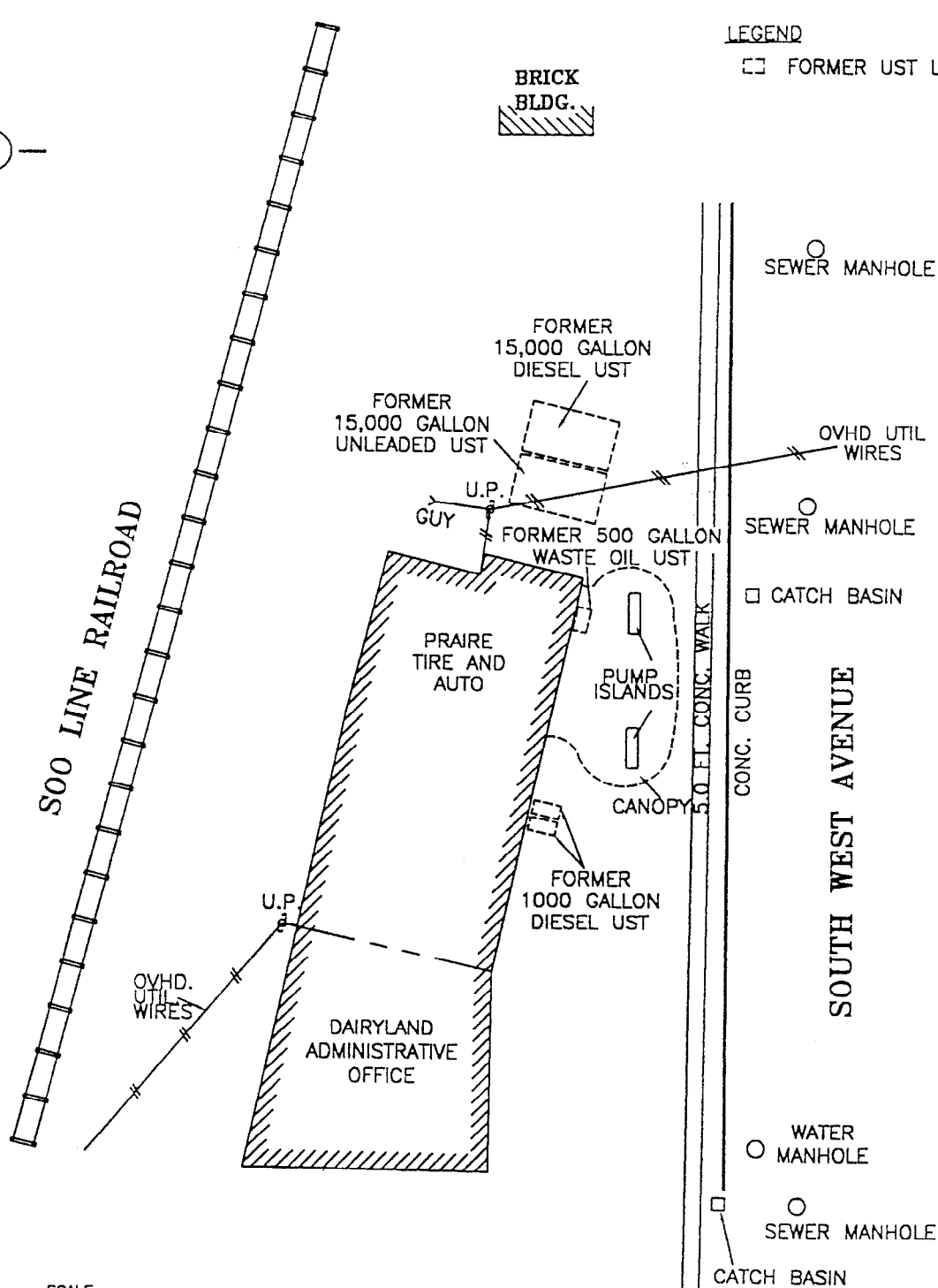
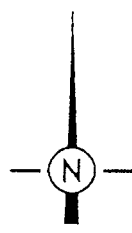
**BRRTS No. 03-68-003007**

**WDNR FID No. 268113340**

**GIS coordinates of site using the WTM91 Interactive Map on the DNR website:**

**WTM Coordinates 663693, 281426**

DRAWING NO. 92.727R22  
 DRAWN BY: DLA  
 9/3/93  
 CHECKED BY: V/L  
 9/8/93  
 APPROVED BY: SUT  
 10/1/93



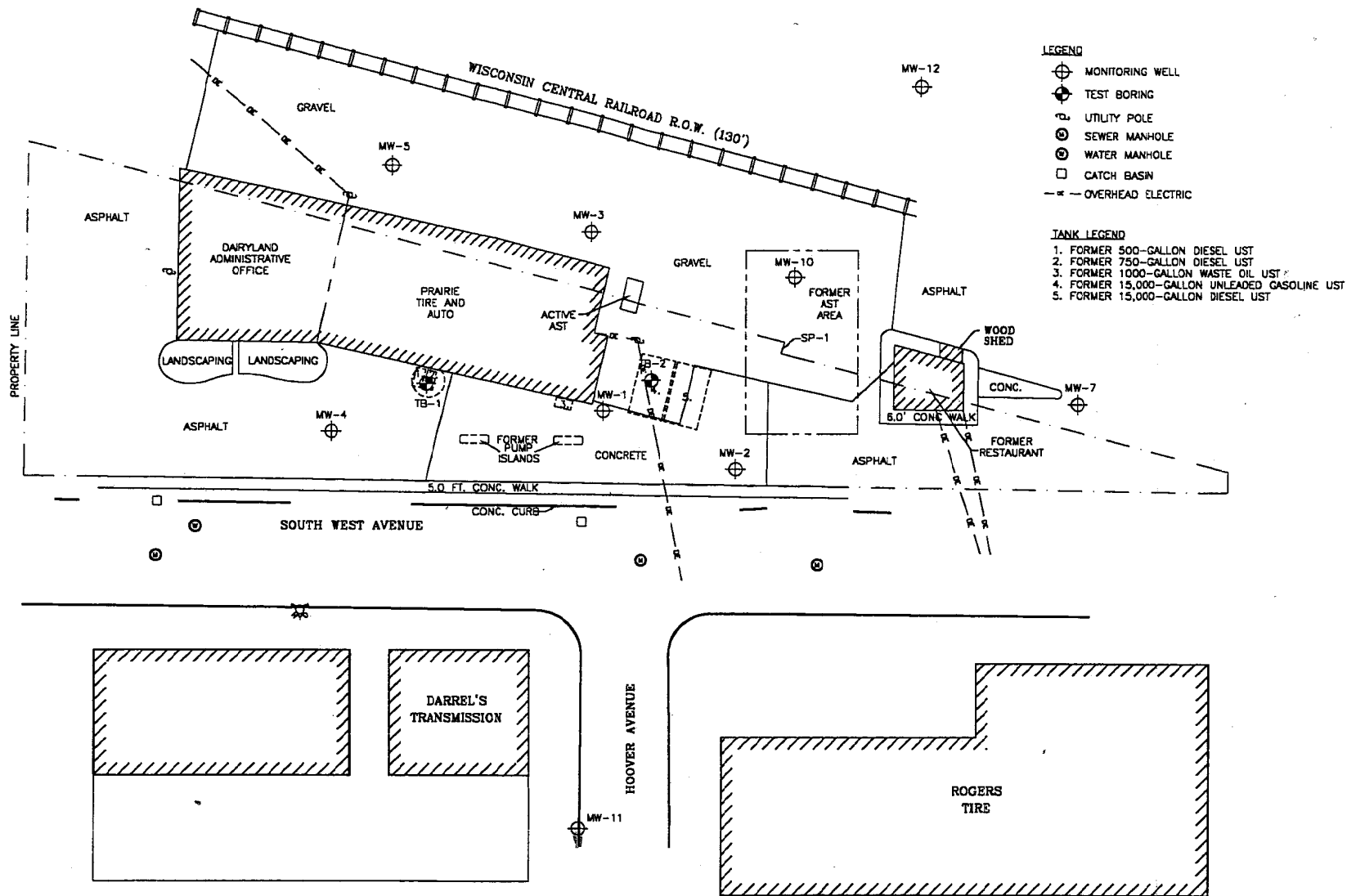
THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

FIGURE 2.2

SITE PLAN VIEW

DAIRYLAND FUELS — WEST AVENUE  
 WAUKESHA, WISCONSIN





ENGINEER	DATE	REVISIONS:	APPROVED BY:	CHECKED BY:	DATE	DRAWN BY:	DATE	DRAWING NO.	FIGURE NO.
					2/1/99	LME		92.727.1	2

**ENVIROGEN**  
 COST EFFECTIVE LEADERSHIP FOR A CLEANER ENVIRONMENT  
 2835 North Grandview Blvd.  
 Pewaukee, Wisconsin 53072-0090

SITE PLAN VIEW	FIGURE NO.
DAIRYLAND FUELS-WEST AVENUE SITE WAUKESHA, WISCONSIN	2

TABLE 1

**Historical Groundwater Elevations  
Dairyland Fuels – West Avenue Site  
Waukesha, Wisconsin**

Date	MW-1		MW-2		MW-3		MW-4		MW-5		MW-6	
	TOC Elevation=848.11		TOC Elevation=848.15		TOC Elevation=848.14		TOC Elevation=847.01		TOC Elevation=847.89		TOC Elevation=848.94	
	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation
3/9/93	32.19	815.92	32.27	815.88	32.89	815.25	30.81	816.20	32.72	815.17	34.31	814.63
5/27/94	32.22	815.89	32.44	815.71	33.10	815.04	30.90	816.11	32.86	815.03	32.66	816.28
8/1/95	31.90	816.21	33.84	814.31	34.62	813.52	30.88	816.13	34.39	813.50	35.35	813.59
10/28/96	31.59	816.52	30.63	817.52	32.74	815.40	29.45	817.56	31.93	815.96	31.42	817.52
8/28/97	32.44	815.67	31.26	816.89	33.14	815.00	30.84	816.17	33.28	814.61	WR	WR
11/11/97	33.40	814.71	33.51	814.64	34.52	813.62	31.08	815.93	33.60	814.29	WR	WR
3/5/98	33.41	814.70	33.50	814.65	34.70	813.44	32.00	815.01	34.77	813.12	WR	WR
3/23/98	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	WR	WR
7/17/98	31.95	816.16	31.86	816.29	32.53	815.61	29.81	817.20	32.35	815.54	WR	WR
12/15/98	32.25	815.86	32.21	815.94	33.22	814.92	30.72	816.29	32.90	814.99	WR	WR

(Continued)

## Notes

Elevations are in feet above mean sea level

NA: Not available

NI: Not installed

TOC: top-of-casing

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

**TABLE 1**  
**(Continued)**

**Historical Groundwater Elevations**  
**Dairyland Fuels – West Avenue Site**  
**Waukesha, Wisconsin**

Date	MW-7		MW-10		MW-11		MW-12	
	TOC Elevation=848.57		TOC Elevation=848.52		TOC Elevation=848.05		TOC Elevation=845.84	
	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation	Feet to Water	Elevation
3/9/93	NI	NI	NI	NI	NI	NI	NI	NI
5/27/94	32.90	815.67	NI	NI	NI	NI	NI	NI
8/1/95	33.43	815.14	NI	NI	NI	NI	NI	NI
10/28/96	32.36	816.21	NI	NI	NI	NI	NI	NI
8/28/97	33.18	815.39	33.27	815.25	NI	NI	NI	NI
11/11/97	34.30	814.27	34.30	814.22	NI	NI	NI	NI
3/5/98	34.45	814.12	34.40	814.12	NI	NI	NI	NI
3/23/98	NA	NA	NA	NA	32.54	815.51	32.53	813.31
7/17/98	33.09	815.48	32.48	816.04	31.75	816.30	31.41	814.43
12/15/98	33.38	815.19	32.84	815.68	31.75	816.30	31.31	814.53

**Notes:**

Elevations are in feet above mean sea level

NA: Not available

NI: Not installed

TOC: top-of-casing

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

TABLE 2

**Summary of Soil VOC Analytical Results  
Dairyland West  
Waukesha, Wisconsin  
December 13, 2001**

Parameter	GP-20 (1-3 %)	GP-21 (1-3 %)	GP-22 (1-3 %)	GP-23 (1-3 %)	GP-24 (1-3 %)	GP-25 (1-3 %)	WDNR NR 720 Generic Cleanup Standards
Benzene	<25	<25	<25	<25	<25	<25	5.5
Ethylbenzene	<25	100	<25	<25	<25	<25	2,900
Toluene	<25	150	<25	<25	<25	<25	1,500
Total Xylenes	<75	590	<75	<75	<75	<75	4,100
MTBE	<25	<25	<25	<25	<25	<25	NS
1,2,4-TMB	<25	200	<25	<25	<25	<25	NS
1,3,5-TMB	<25	140	<25	<25	<25	<25	NS

## Notes:

Results are in µg/kg  
 MTBE: Methyl t-butyl ether  
 TMB: Trimethylbenzene  
 NS: No standard

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

SEP 06 '82 02:28PM ENVIRONMENT INC (PEW)

15

**Bold** Value exceeds WDNR Industrial Direct Contact Pathway Standard  
*Italics* Value exceeds WDNR Groundwater Pathway Standard  
**Industrial Direct Contact WDNR Interim Guidance RCL's applicable to this site**  
**RCLs** Residual Contaminant Levels  
**ND** Analyte detected between LOD and LOQ

Downloaded from <http://www.jstor.org/stable/2773849> on Tue, 27 Jun 2017 14:04:08 UTC

TABLE 3

**Summary of Soil PAH Analytical Results  
Dairyland West  
Waukesha, Wisconsin  
December 13, 2001**

Parameter	GP-20 (1-3 §)	GP-21 (1-3 §)	GP-22 (1-3 §)	GP-23 (1-3 §)	GP-24 (1-3 §)	GP-25 (1-3 §)	WDNR Interim Guidance RCLs		
							Groundwater Pathway	Direct Contact Pathway	
								Non-Industrial	Industrial
Acenaphthene	<13	<13	<13	<13	<13	<13	38,000	900,000	50,000,000
Acenaphthylene	<10	<10	<10	<10	<10	<10	70	18,000	360,000
Anthracene	<11	<11	<11	<11	<11	<11	3,000,000	5,000,000	300,000,000
Benzo (a) anthracene	<10	<10	<10	<10	10"J"	11"J"	17,000	88	3,900
Benzo (b) fluoranthene	<24	<24	<24	<24	24"J"	<24	360,000	88	3,900
Benzo (k) fluoranthene	<37	<37	<37	<37	<37	<37	870,000	880	39,000
Benzo (a) pyrene	<17	<17	<17	<17	<17	<17	48,000	8.8	390
Benzo (ghi) perylene	<10	<10	<10	<10	<10	<10	6,800,000	1,800	39,000
Chrysene	<10	<10	<10	<10	10"J"	<10	37,000	8,800	390,000
Dibenzo (a,h) anthracene	<10	<10	<10	<10	<10	<10	38,000	8.8	390
Fluoranthene	<10	<10	<10	<10	<10	11"J"	500,000	600,000	40,000,000
Fluorene	<11	<11	<11	<11	<11	<11	100,000	600,000	40,000,000
Indeno (1,2,3-cd) pyrene	<13	<13	<13	<13	<13	<13	680,000	88	3,900
1-Methyl-naphthalene	<10	<10	<10	<10	<10	<10	23,000	1,100,000	70,000,000
2-Methyl-naphthalene	<17	<17	<17	<17	<17	<17	20,000	600,000	40,000,000
Naphthalene	<10	<10	<10	<10	<10	<10	400	20,000	110,000
Phenanthrene	<12	26"J"	<12	<12	<12	<12	1,800	18,000	390,000
Pyrene	<13	<13	<13	<13	<13	<13	8,700,000	500,000	30,000,000

## Notes:

Results are in µg/kg

RCLs = Residual Contaminant Levels

"J": Analyte detected between LOD and LOQ

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

SEP 06 10:44PM EDT 1997 (PMT)

## p. 7/13

(Continued)

Results are in ppb

MTBE: Methyl t-butyl ether

TMB: Trimethylbenzene

NS: No standard

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

TABLE 4  
(Continued)

Summary of Soil VOC Analytical Results  
Dairyland West  
Waukesha, Wisconsin  
June 19, 2001

Parameter	GP-14 (1-3')	GP-14 (14-16')	GP-15 (1-3')	GP-15 (14-16')	WDNR NR746.06 Residual Petroleum Product Table 1 Values
Benzene	26 "J"	<25	<25	<25	8,500
Ethylbenzene	55	<25	39	<25	4,500
Toluene	57	<25	<25	<25	38,000
Total Xylenes	170	76	100	<75	42,000
MTBE	<25	<25	<25	<25	NS
1,2,4-TMB	110	93	44 "J"	<25	83,000
1,3,5-TMB	46 "J"	77	36 "J"	<25	11,000

Notes:

Results are in ppb

**Bold** Value exceeds WDNR NR746.06 Table 1 standards

MTBE: Methyl t-butyl ether

TMB: Trimethylbenzene

NS: No standard

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

## Historical Groundwater Quality Results Dairyland Fuels-West Avenue Site Waukesha, Wisconsin

(Continued)

**Bold** Indicates exceedance of NR 140 enforcement standard (ES)  
*Italics* Indicates exceedances of NR 140 preventive action limit (PAL)

TMB: trimethylbenzene  
MTBE: methyl t-butyl ether  
DRO: diesel range organics  
GRO: gasoline range organics  
NS: no standard  
NA: not analyzed  
M: matrix interference  
WR: well removed  
NI: not installed

Checked by: \_\_\_\_\_ Approved by: \_\_\_\_\_

SEP 05 '02 02:00PM ITV PROJECT INC OPEN

 $P.10/13$ (Continued)

**Bold** Indicates exceedance of NR 140 enforcement standard (ES)  
*Italics* Indicates exceedances of NR 140 preventive action limit (PAL)

Checked by: \_\_\_\_\_ Approved by: \_\_\_\_\_



## Historical Groundwater Quality Results Dairyland Fuel-West Avenue Site Waukesha, Wisconsin

(Continued)

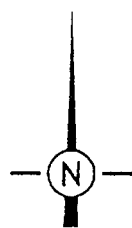
**Bold** Indicates exceedance of NR 140 enforcement standard (ES)  
*Italics* Indicates exceedances of NR 140 preventive action limit (PAL)

Checked by: \_\_\_\_\_

Approved by: \_\_\_\_\_

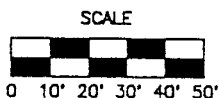
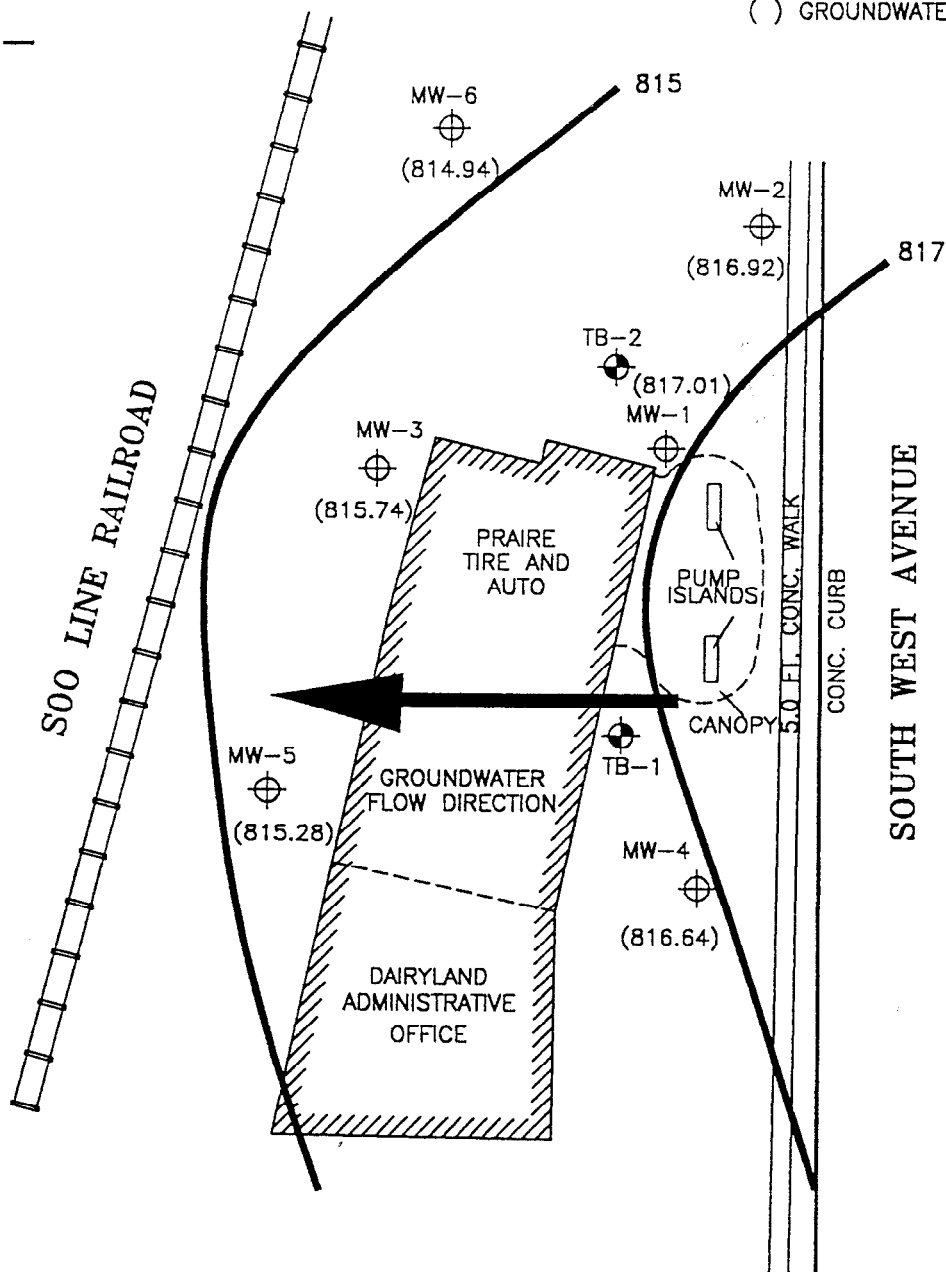


DRAWING NO. 92.727R45  
 DRAWN BY: DLA  
 9/7/93  
 CHECKED BY: 1/12  
 9/8/93  
 APPROVED BY: S.W.T.  
 10/4/93



**LEGEND**

- ⊕ MONITORING WELL
- ⊙ TEST BORING
- ( ) GROUNDWATER ELEVATIONS IN MSL



THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

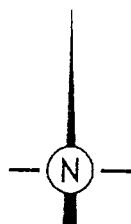
**FIGURE 4.5**  
**POTENTIOMETRIC SURFACE**  
**MAP 4/14/93**

DAIRYLAND FUELS – WEST AVENUE  
 WAUKESHA, WISCONSIN





DRAWING NO. 92.727R49  
 DRAWN BY: DLA  
 9/7/93  
 CHECKED BY: VNR  
 9/31/93  
 APPROVED BY: JUT  
 10/4/93



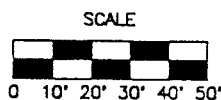
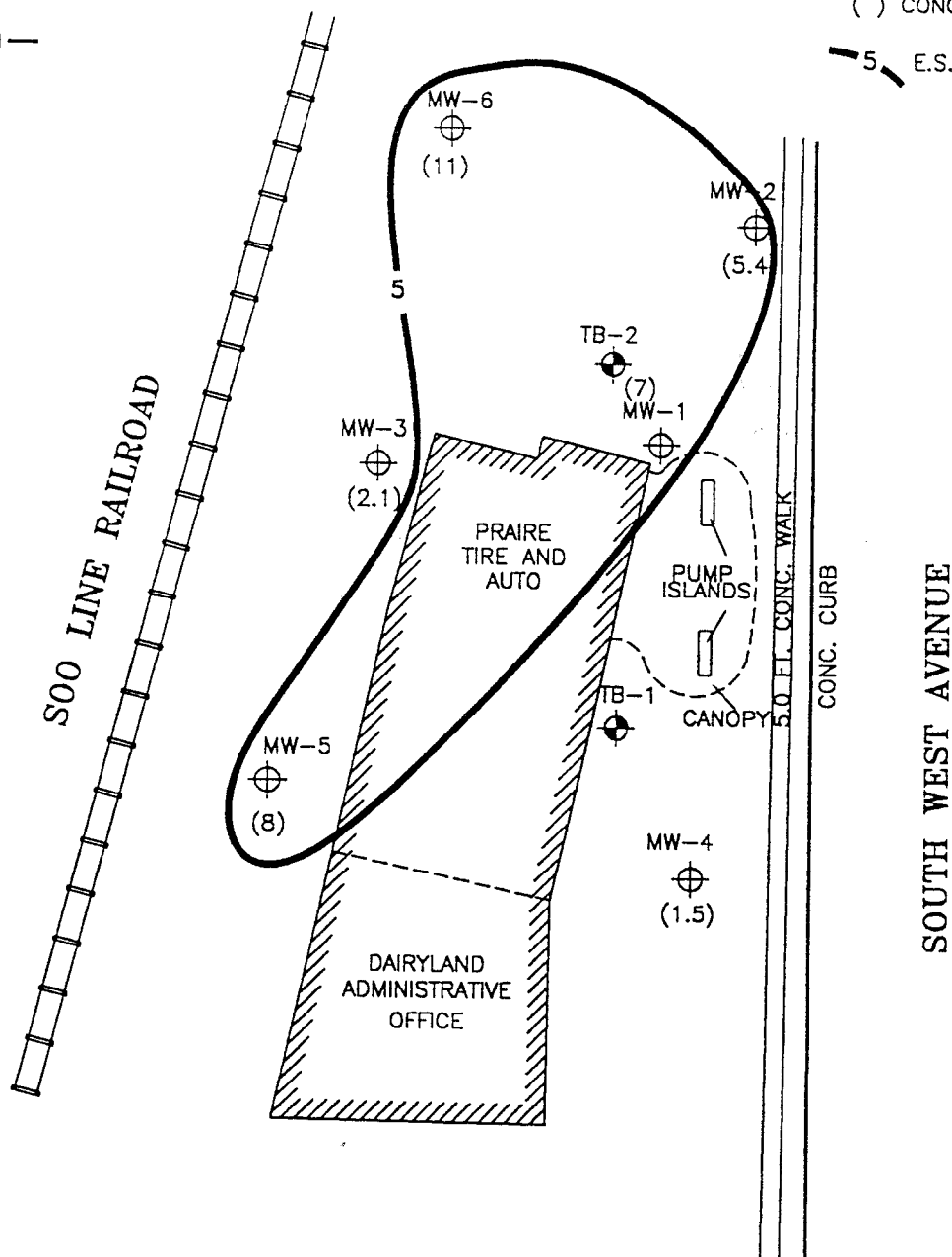
LEGEND

⊕ MONITORING WELL

⊙ TEST BORING

( ) CONCENTRATIONS IN ppb

— 5 — E.S. CONTOUR



THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

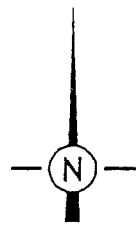
FIGURE 4.9

GROUNDWATER BENZENE  
 DISTRIBUTION MAP 3/9/93

DAIRYLAND FUELS — WEST AVENUE  
 WAUKESHA, WISCONSIN

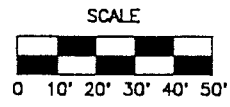
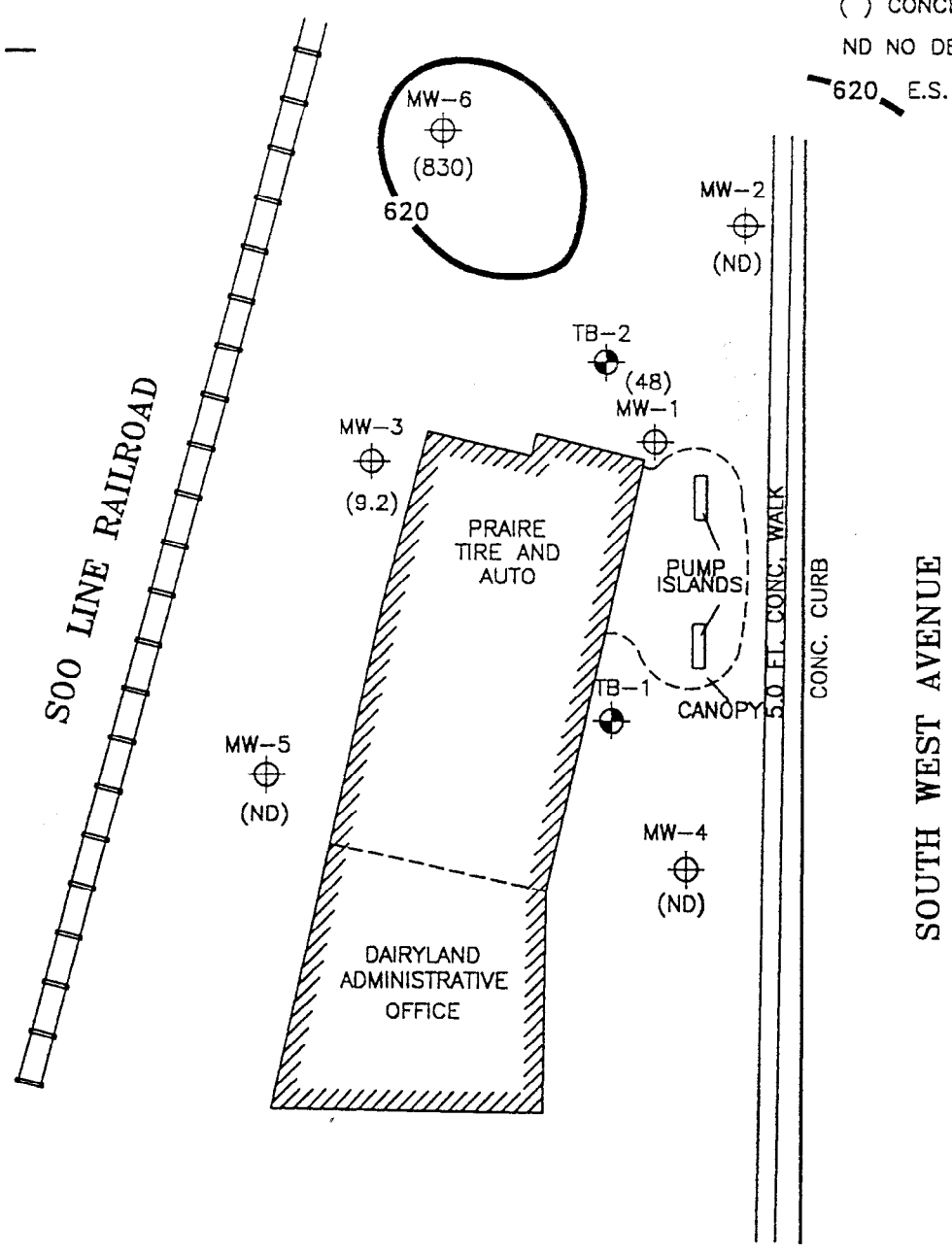


DRAWING NO. 92.727R412  
 DRAWN BY: DLA  
 9/7/93  
 CHECKED BY: JLR  
 9/22/93  
 APPROVED BY: SUT  
 10/6/95



**LEGEND**

- ⊕ MONITORING WELL
- ⊙ TEST BORING
- ( ) CONCENTRATIONS IN ppb
- ND NO DETECTION
- 620 E.S. CONTOUR



THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

**FIGURE 4.12**  
**GROUNDWATER XYLENE**  
**DISTRIBUTION MAP**



**DAIRYLAND FUELS — WEST AVENUE**  
**WAUKESHA, WISCONSIN**

10/19/92

SWT

APPROVED BY:

9/10/93

U/R

CHECKED BY:

9/7/93

DLA

DRAWN BY:

92.727R41

DRAWING NO.

0

10'

20'

30'

40'

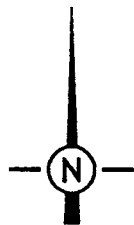
50'

SCALE

THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

Fluid Management, Inc.

Waukesha, Wisconsin



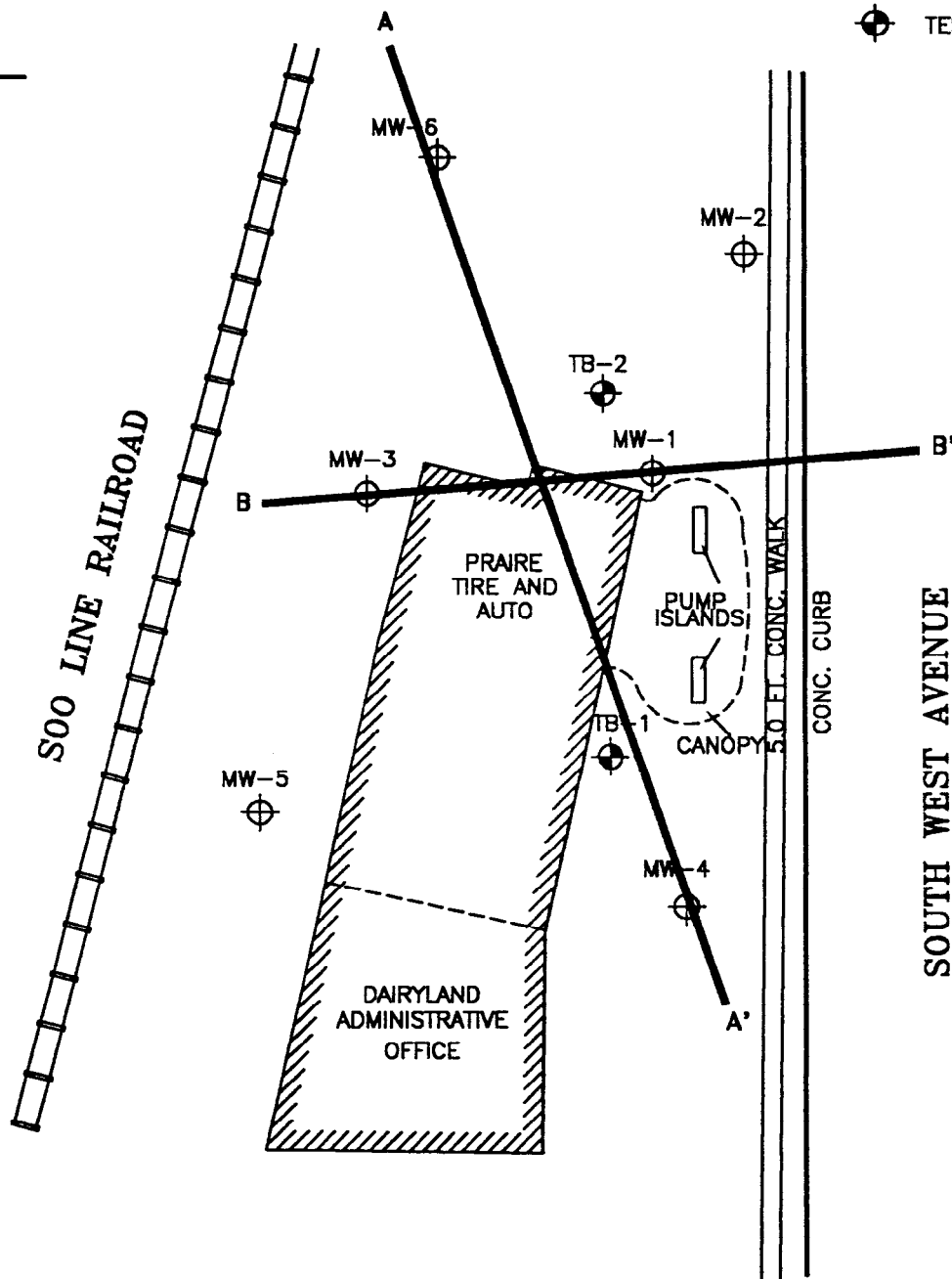
LEGEND



MONITORING WELL



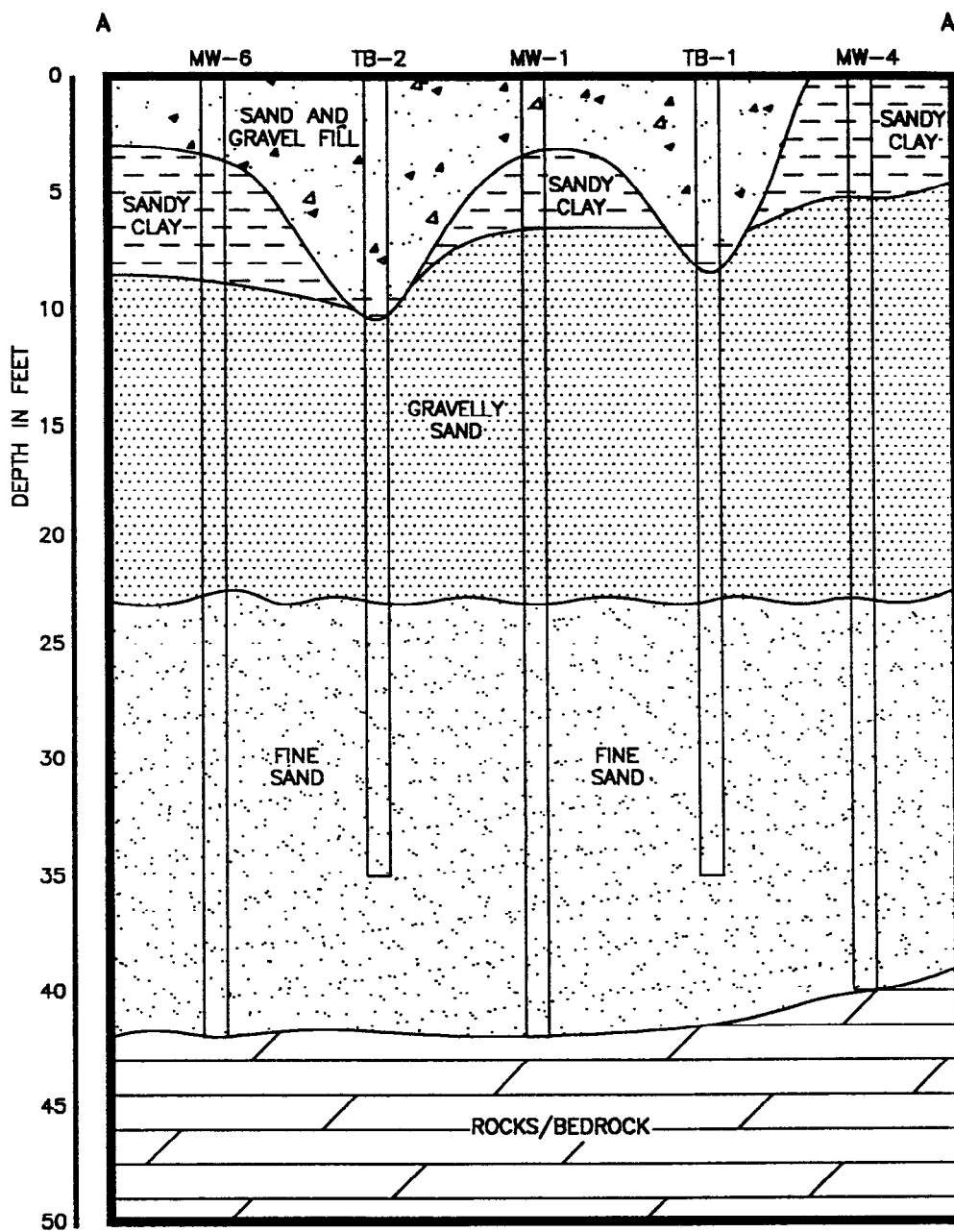
TEST BORING



**FIGURE 4.1**  
**LITHOLOGIC CROSS-SECTION**  
**PLAN VIEW**

**DAIRYLAND FUELS – WEST AVENUE**  
**WAUKESHA, WISCONSIN**

DRAWING NO. 92.727R42  
 DRAWN BY: DLA  
 9/7/93  
 CHECKED BY: VLR  
 9/8/93  
 APPROVED BY: SUT  
 10/4/93



HORIZONTAL DISTANCES NOT TO SCALE

THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

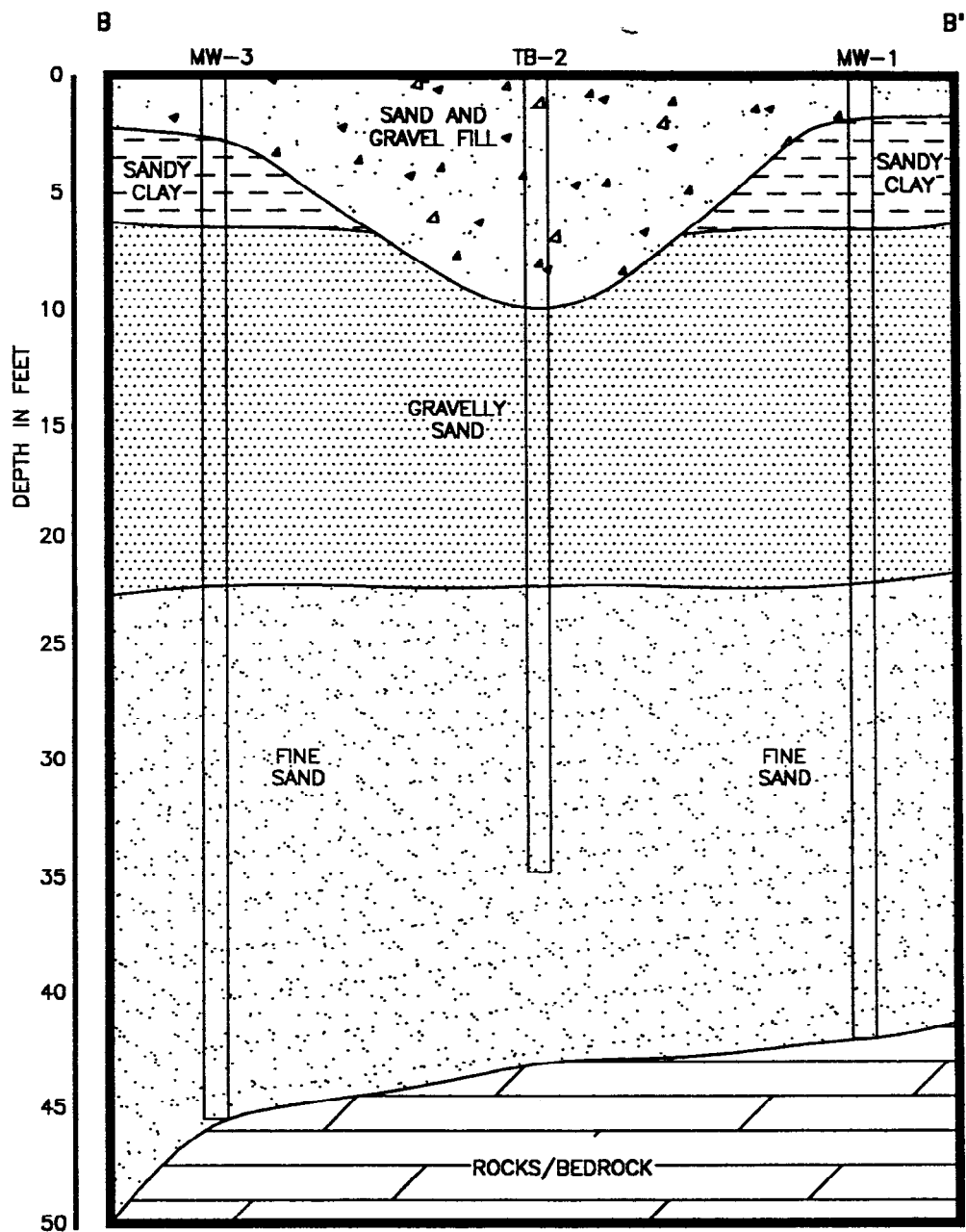
FIGURE 4.2  
LITHOLOGIC

CROSS-SECTION A-A'

DAIRYLAND FUELS – WEST AVENUE  
WAUKESHA, WISCONSIN



DRAWING NO. 92.727R43  
 DRAWN BY: DLA  
 9/7/93  
 CHECKED BY: VLR  
 9/9/93  
 APPROVED BY: SWT  
 10/7/93



HORIZONTAL DISTANCES NOT TO SCALE

THE INTERPRETATIONS IN THIS FIGURE ARE BASED ON KNOWN POINTS IN TIME AND SPACE AND ARE INTEGRAL TO A WRITTEN REPORT AND SHOULD BE REVIEWED IN THAT CONTEXT.

**FIGURE 4.3  
LITHOLOGIC**

**CROSS-SECTION B-B'**

**DAIRYLAND FUELS – WEST AVENUE  
WAUKESHA, WISCONSIN**

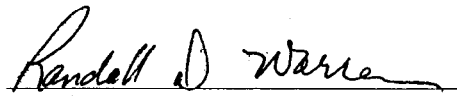




**STATEMENT**  
01-31-02

To Whom It May Concern,

We are the responsible party as it relates to the PECFA clean-up and closure of the property located at 1230 S. West Ave., Waukesha, WI. To the best of our knowledge, the attached legal descriptions are complete and accurate.

  
Randall D. Warren, President

Declaration of Restrictions

## In Re:

All that part of the Southwest 1/4 of Section 10, Town 6 North, Range 19 East, City of Waukesha, County of Waukesha, State of Wisconsin, bounded and described as follows: Commencing at the South 1/4 corner of Section 10; thence due North along the South 1/4 line of said Section and the centerline of West Avenue, 938.50 feet; thence due West perpendicular to said South 1/4 line, 33.00 feet to a point on the West Right-of-Way line of West Avenue and the place of beginning of the parcel hereinafter described; thence due North along said West Right-of-Way line being parallel to said South 1/4 line, 515.50 feet; thence due West perpendicular to the aforementioned South 1/4 line, 9.00 feet to a point on the East Right-of-Way line of the Soo Line Railroad (Minn. St. Paul & S. Ste. Marie Ry. Co.); thence South 13°51'30" West along said East Right-of-Way line, 193.17 feet; thence North 76°05'30" West along the aforementioned East Right-of-Way line, 5.00 feet; thence South 13°54'10" West along the East Right-of-Way line of the Soo Line Railroad, 334.24 feet; thence due East 141.82 feet to the place of beginning.

Bench Mark 66.775 (City Datum) Hydrant "open" first hydrant north of Sunset Drive on east side of West Avenue.  
66.6 - Existing elevation  
Suggested Building Floor Grade \_\_\_\_\_  
none suggested.

1230 S West Ave  
Lot 1 CSM NO 7297 (V62 CSM  
P8) PT SW1/4 SEC 10 T6N  
R19 E 1.42 AC R822/992 & R1  
) 249/466  
) SS

STATE OF WISCONSIN

COUNTY OF WAUKESHA

Duane E Warren  
622 Genesee St  
Delafield WI 53018

WAKC 1335004

Parcel Identification Number (PIN)

WHEREAS, Duane E Warren is the owner of the above-described property.

WHEREAS, one or more petroleum compound discharges have occurred on this property.

Benzo(a)pyrene and Benzene contaminated soil remains on this property at the following location: See Figure 1A attached hereto.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

An engineered cap or cover has been constructed as a remedial action to address residual soil contamination on the property. Figure 10, which is attached to this Deed Restriction as Exhibit 1, shows the location of the capped area. Therefore, the following activities are prohibited on that portion of the property described above where a cap or cover has been placed, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading of the land surface; (2) Filling on the capped area; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise.

This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 7<sup>th</sup> day of June, 2002.

Signature:

Duane E. Warren

Printed Name: Duane E Warren

Subscribed and sworn to before me  
this 7<sup>th</sup> day of June, 2002.

[Signature]  
Notary Public, State of Wisconsin  
My commiss:

06-10-2002

TRANSACTION # 129479  
DOCUMENT # 2809463 \*  
RESTRICTION  
CERTIFIED #(S) 0

Recording Fee - County: 6.00  
Recording Fee - LIS: 5.00  
State Recording Fee LIS: 2.00

TOTAL: 13.00  
CASH: 20.00  
CHANGE: -7.00

THANK YOU  
MICHAEL J. HASSLINGER  
WAUKESHA COUNTY  
REGISTER OF DEEDS